

U.S. Patent Application Serial No. 10/735,619  
Response to Final OA dated June 12, 2008

**REMARKS**

Claims 1-5 are present in this application.

Claim 1, the only independent claim, is to a portable television receiver that has a receiver for receiving waves of television broadcast, a receiving state detector for detecting receiving state of the wave of television broadcast before recording, a judger for judging whether the recording is permitted based on a detected result of the receiving state detector, and a notifier for notifying the user that such a situation that the recording is not permitted occurs when it is judged that the recording is not permitted. The receiving state of the wave is the reception level of the television broadcast wave.

In the Final Office Action, Claims 1-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. (U.S. Patent No. 6,266,481) in view of Baese et al. (U.S. Published Application No. 2002/0040477) and Nono (U.S. Patent No. 7,209,632). Reconsideration and removal of this rejection are respectfully requested in view of the following remarks.

The Office Action admits that Lee et al. and Baese et al. fail to explicitly teach that the receiving state of the wave is the reception level of the television broadcast wave. However, it is alleged that Nono teaches the receiving state of the wave is the reception level of the television broadcast wave.

It is respectfully submitted that Nono determines whether or not a program is to be recorded based on one or more relevant weather forecasts for the weather predicted to occur during the time

U.S. Patent Application Serial No. 10/735,619  
Response to Final OA dated June 12, 2008

period that the program is to be recorded. Nono does not judge whether recording is permitted based on a receiving state of the reception level of the broadcast wave, as presently claimed.

The portable television receiver according to the present invention comprises a receiving state detector for detecting reception level of the television broadcast wave and a judger for judging whether the recording is permitted based on the reception level detected by the receiving state detector.

In contrast, Nono determines whether or not a program is to be recorded based on the probability of precipitation included in relevant weather forecast information (col. 9, line 55 to col. 10, line 59). Also, Nono discloses a structure in which it is determined whether or not a program is to be recorded based on a receive level degradation probability corresponding to the probability of precipitation included in the relevant weather forecast information, defined based on correlation data stored in a memory (col. 17, lines 9-51). However, Nono does not disclose the receiving state detector and the judger. In view of the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. in view of Baese et al. and Nono as applied to Claim 1 above, and further in view of Matsugami (U.S. Published Application No. 2003/0099462). Reconsideration and removal of this rejection are respectfully requested in view of the following remarks.

Claim 5 depends from Claim 1, which is discussed above. In view of the above remarks

RECEIVED  
CENTRAL FAX CENTERU.S. Patent Application Serial No. 10/735,619  
Response to Final OA dated June 12, 2008

SEP 12 2008

regarding Claim 1, removal of this rejection is respectfully requested.

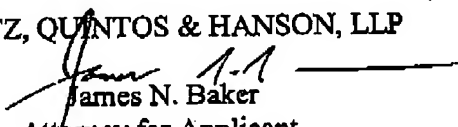
In view of the aforementioned amendments and accompanying remarks, Claims 1-5 are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP

  
James N. Baker  
Attorney for Applicant  
Reg. No. 40,899

WGK/JNB/ak

Atty. Docket No. 031328  
Suite 400  
1420 K Street, N.W.  
Washington, D.C. 20005  
(202) 659-2930



23850

PATENT &amp; TRADEMARK OFFICE